

# EXHIBIT “A”

Travis County, Texas Central Appraisal District  
records reflecting ownership by Mario A. Mata of  
Residence in Travis County, Texas

**Travis CAD**

**Property Search Results > 107371 MATA MARIO A & LILY C for Year 2014**

**Property**

**Account**

Property ID:	107371	Legal Description:	ABS 14 SUR 21 HILL H P ACR .568
Geographic ID:	0109090603	Agent Code:	
Type:	Real		
Property Use Code:			
Property Use Description:			

**Location**

Address:	2804 HUBBARD CIR TX 78746	Mapsc0:	584N
Neighborhood:	M5000	Map ID:	011018
Neighborhood CD:	M5000		

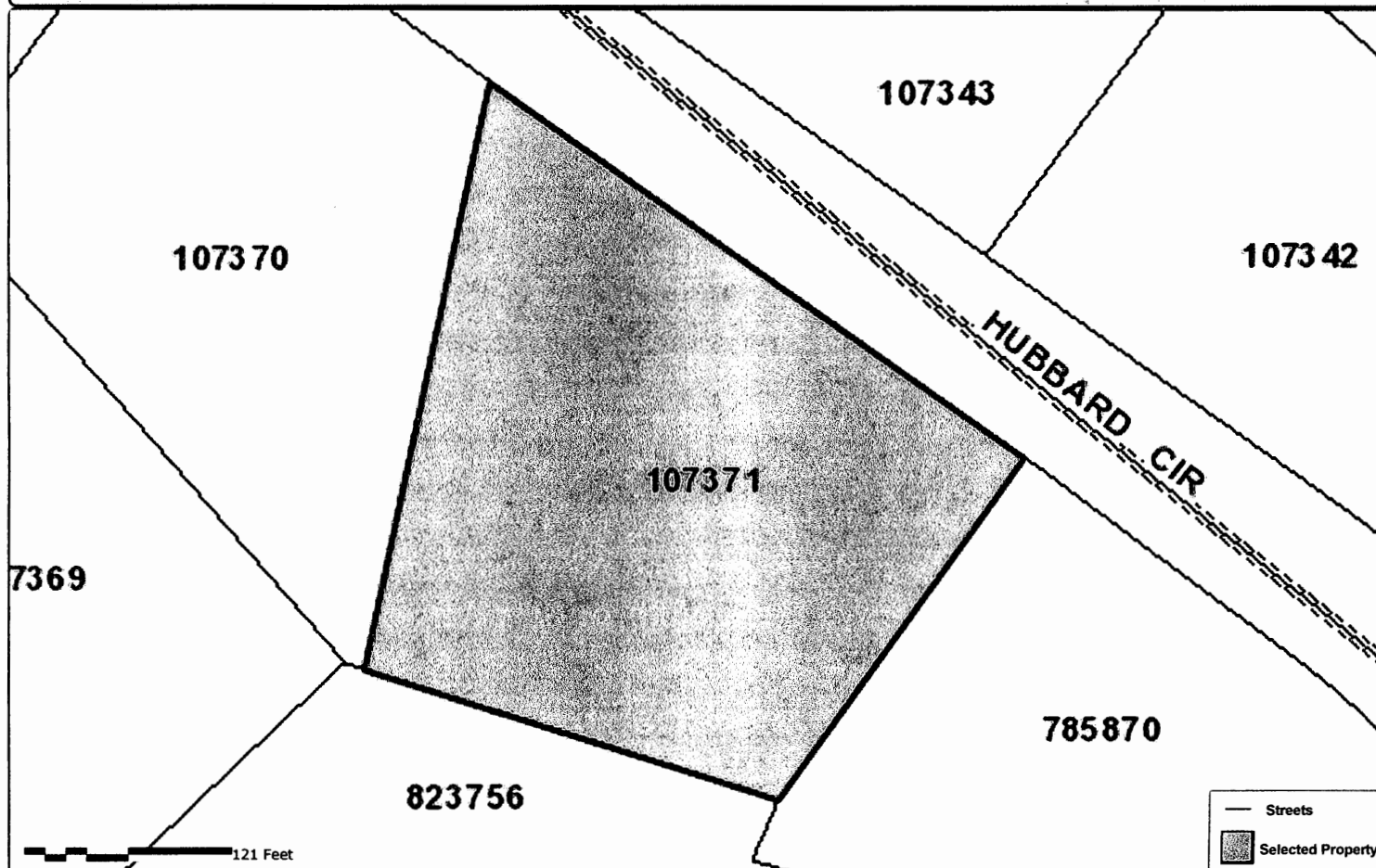
**Owner**

Name:	MATA MARIO A & LILY C	Owner ID:	106290
Mailing Address:	2804 HUBBARD CIR AUSTIN , TX 78746-5619	% Ownership:	100.0000000000%
		Exemptions:	HS

# EXHIBIT “B”

Travis County, Texas Central Appraisal District  
records reflecting Map of Property owned by Mario  
A. Mata as his residence in Travis County, Texas

## Travis CAD - Map of Property ID 107371 for Year 2014



### Property Details

#### Account

Property ID: 107371

Geo ID: 0109090603

Type: Real

Legal Description: ABS 14 SUR 21 HILL H P ACR .568

#### Location

Situs Address: 2804 HUBBARD CIR TX 78746

Neighborhood: M5000

Mapsc0: 584N

Jurisdictions: 0A, 03, 08, 11, 2J, 39

#### Owner

Owner Name: MATA MARIO A & LILY C

Mailing Address: , 2804 HUBBARD CIR, , AUSTIN, TX 78746-5619

#### Property

Appraised Value: \$833,350.00

<http://propaccess.traviscad.org/Map/View/Map/1/107371/2014>


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www.trueautomation.com

Map Disclaimer: This tax map was compiled solely for the use of TCAD. Areas depicted by these digital products are approximate, and are not necessarily accurate to mapping, surveying or engineering standards. Conclusions drawn from this information are the responsibility of the user. The TCAD makes no claims, promises or guarantees about the accuracy, completeness or adequacy of this information and expressly disclaims liability for any errors and omissions. The mapped data does not constitute a legal document.

# EXHIBIT “C”


Official Travis County, Texas records reflecting  
Voter Registration Information for Mario A. Mata in  
Travis County, Texas

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# Travis COUNTY

## VOTERS



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- [Voter Information](#)
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- [Voter Statistics](#)
- [Volunteer Registrar](#)
- [Voter Forms](#)

## VOTER VERIFICATION


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### Voter Registration Information

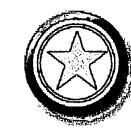
Voter Information		Voter Districts	
<b>Voter Unique Identification:</b>	1139985514	<b>Congressional:</b>	<a href="#">G25</a>
<b>Name:</b>	MARIO A MATA	<b>Senatorial:</b>	<a href="#">N14</a>
<b>Effective Date of Registration:</b>	02/03/1984	<b>Legislative:</b>	<a href="#">L48</a>
<b>Residence Address:</b>	2804 HUBBARD CIR AUSTIN, TX 78746-0000	<b>Commissioner:</b>	<a href="#">P03</a>
<b>Mailing Address:</b>	2804 HUBBARD CIR AUSTIN, TX 78746-0000	<b>Edwards Aquifer Single Member District:</b>	<a href="#">Q05</a>
<b>Precinct:</b>	307	<b>Justice of the Peace:</b>	<a href="#">J03</a>
		<b>School District:</b>	<a href="#">S04</a>
		<b>Municipal Utility District:</b>	
		<b>Emergency Services District:</b>	<a href="#">E09</a>
		<b>Edwards Aquifer:</b>	<a href="#">Q00</a>
		<b>School Single Member District:</b>	
		<b>City:</b>	<a href="#">C05</a>
		<b>Capitol Metro:</b>	
		<b>Library District:</b>	<a href="#">L01</a>
		<b>State Board of Education:</b>	<a href="#">B05</a>




**VOTER  
SEARCH**



**VOTER  
QUESTIONS**



**VOTER  
LINKS**



**VOTER  
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# EXHIBIT “D”

Page 1 of Voluntary Petition for Bankruptcy filed by  
John T. Spitznagel on July 13, 2012 in the  
United States Bankruptcy Court  
District of New Jersey



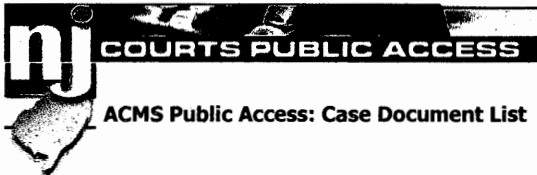
## B1 (Official Form 1) (12/11)

United States Bankruptcy Court District of New Jersey		Voluntary Petition
Name of Debtor (if individual, enter Last, First, Middle): <b>Spitznagel, John T.</b>	Name of Joint Debtor (Spouse) (Last, First, Middle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):	
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): <b>xxx-xx-6724</b>	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all):	
Street Address of Debtor (No. & Street, City, and State): <b>419 Tidal Drive Beach Haven (Loveladies), NJ</b> <div style="border: 1px solid black; padding: 2px; display: inline-block;">ZIP CODE <b>08008-0000</b></div>	Street Address of Joint Debtor (No. & Street, City, and State): <div style="border: 1px solid black; padding: 2px; display: inline-block;">ZIP CODE</div>	
County of Residence or of the Principal Place of Business: <b>Ocean</b>	County of Residence or of the Principal Place of Business:	
Mailing Address of Debtor (if different from street address): <div style="border: 1px solid black; padding: 2px; display: inline-block;">ZIP CODE</div>	Mailing Address of Joint Debtor (if different from street address): <div style="border: 1px solid black; padding: 2px; display: inline-block;">ZIP CODE</div>	
Location of Principal Assets of Business Debtor (if different from street address above):		
<b>Type of Debtor</b> (Form of Organization) (Check one box.)  <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i>  <input type="checkbox"/> Corporation (includes LLC and LLP)  <input type="checkbox"/> Partnership  <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<b>Nature of Business</b> (Check one box.)  <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box)  <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Chapter 7  <input type="checkbox"/> Chapter 9  <input checked="" type="checkbox"/> Chapter 11  <input type="checkbox"/> Chapter 12  <input type="checkbox"/> Chapter 13             </div> <div> <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding   <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding             </div> </div>
<b>Chapter 15 Debtors</b>  Country of debtor's center of main interests:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:	<b>Tax-Exempt Entity</b> (Check box, if applicable.)  <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<b>Nature of Debts</b> (Check one box)  <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.
<b>Filing Fee</b> (Check one box.)  <input checked="" type="checkbox"/> Full Filing Fee attached  <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.  <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.		<b>Check one box: Chapter 11 Debtors</b>  <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).  <b>Check if:</b> <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter).  <b>Check all applicable boxes:</b> <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
<b>Statistical/Administrative Information</b> <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.  <b>Estimated Number of Creditors</b> <div style="display: flex; justify-content: space-between;"> <div><input checked="" type="checkbox"/> 1-49</div> <div><input type="checkbox"/> 50-99</div> <div><input type="checkbox"/> 100-199</div> <div><input type="checkbox"/> 200-999</div> <div><input type="checkbox"/> 1,000-5,000</div> <div><input type="checkbox"/> 5,001-10,000</div> <div><input type="checkbox"/> 10,001-25,000</div> <div><input type="checkbox"/> 25,001-50,000</div> <div><input type="checkbox"/> 50,001-100,000</div> <div><input type="checkbox"/> OVER 100,000</div> </div> <b>Estimated Assets</b> <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> \$0 to \$50,000</div> <div><input type="checkbox"/> \$50,001 to \$100,000</div> <div><input type="checkbox"/> \$100,001 to \$500,000</div> <div><input type="checkbox"/> \$500,001 to \$1 million</div> <div><input checked="" type="checkbox"/> \$1,000,001 to \$10 million</div> <div><input type="checkbox"/> \$10,000,001 to \$50 million</div> <div><input type="checkbox"/> \$50,000,001 to \$100 million</div> <div><input type="checkbox"/> \$100,000,001 to \$500 million</div> <div><input type="checkbox"/> \$500,000,001 to \$1 billion</div> <div><input type="checkbox"/> More than \$1 billion</div> </div> <b>Estimated Liabilities</b> <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> \$0 to \$50,000</div> <div><input type="checkbox"/> \$50,001 to \$100,000</div> <div><input type="checkbox"/> \$100,001 to \$500,000</div> <div><input type="checkbox"/> \$500,001 to \$1 million</div> <div><input checked="" type="checkbox"/> \$1,000,001 to \$10 million</div> <div><input type="checkbox"/> \$10,000,001 to \$50 million</div> <div><input type="checkbox"/> \$50,000,001 to \$100 million</div> <div><input type="checkbox"/> \$100,000,001 to \$500 million</div> <div><input type="checkbox"/> \$500,000,001 to \$1 billion</div> <div><input type="checkbox"/> More than \$1 billion</div> </div>		THIS SPACE IS FOR COURT USE ONLY



# EXHIBIT “E”

Unofficial Internet Copy of the Ocean County  
Clerk’s Docket Sheet reflecting the name of the  
documents filed by Plaintiff in removed state case  
Docket L3168-13 through this date.



Page: 1

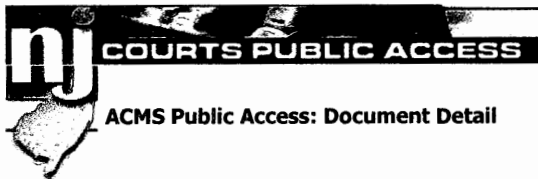
END OF LIST

VENUE : OCEAN COURT : LAW CVL DOCKET #: L 003168 13 CASE TITLE : SPITZNAGEL VS MATA ESQ								
SEL	DATE FILED		DOC NUM	DOCUMENT TYPE	NON CONF	FILING/TARGET PARTY NAME	ATTORNEY NAME	MUL DOC PTY STA
<input type="radio"/>	10	28	2013	001	COMP JRY DEMAND	SPITZNAGEL	OU DA	N
<input type="radio"/>	10	31	2013	002	MISC OTHER	SPITZNAGEL	OU DA	N
<input type="radio"/>	04	16	2014	003	AFFID DEL INQ	SPITZNAGEL	OU DA	N
<input type="radio"/>	04	16	2014	004	REQ DEFLT	SPITZNAGEL	OU DA	N
<input type="radio"/>	05	07	2014	005	MISC OTHER	SPITZNAGEL	OU DA	N

Screen ID:CVM1023 Copyrighted © 2012 - New Jersey Judiciary

Session ID: HSXBPK Case Count: 1

BUILD 2012.1.0.02.08 Timer Count down: 293

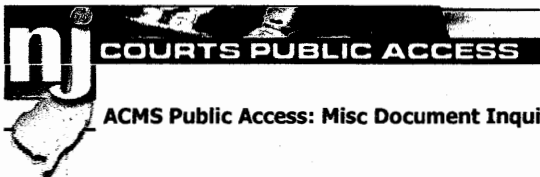


VENUE : OCEAN		COURT : LAW CVL		DOCKET # : L 003168 13	
CASE TITLE : SPITZNAGEL VS MATA ESQ					
FILING PARTY : SPITZNAGEL		JOHN		T MULTI-PARTY FILING : N	
ATTORNEY ID : 0049742090		NAME : OUDA		PETER A	
TARGET PARTY : MATA ESQ		MARIO		A MULTI-PARTY TARGET : N	
DOCUMENT TYPE : COMP JRY DEMAND				DOCUMENT STATUS : A	
DATE FILED : 10 28 2013				IMPOUND IND :	
PROOF/SERV DATE: 00 00 0000				NOTICE REQUEST IND: Y	
				NON-CONFORMING :	
				DATE ENTERED : 10 30 2013	
				DTE LST MAINT : 00 00 0000	

Screen ID:CVM1013 Copyrighted © 2012 - New Jersey Judiciary

Session ID: HSXBPK Case Count: 1

BUILD 2012.1.0.02.08 Timer Count down: 296



ACMS Public Access: Misc Document Inquiry

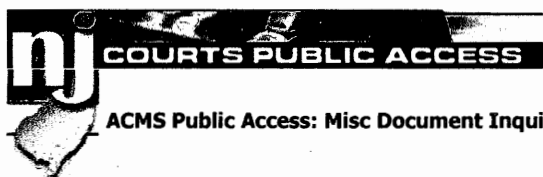


VENUE : OCEAN	COURT : LAW CVL	DOCKET # : L	003168	13
CASE TITLE : SPITZNAGEL VS MATA ESQ				
FILING PARTY : SPITZNAGEL	JOHN	T	MULTI PARTY INDIC : N	MULTI TARGET INDIC: N
DOCUMENT TYPE : MISC OTHER				
DOCUMENT STATUS : ACTIVE				
DATE FILED : 10 31 2013				
IMPOUND INDICATOR: NO				
NON-CONFORMING: NO				
NOTICE REQ IND : NO				
DATE ENTERED : 10 31 2013				
LST MAINT DTE: 10 31 2013				

Screen ID:CVM1002 Copyrighted © 2012 - New Jersey Judiciary

Session ID: HSXBPK Case Count: 1

BUILD 2012.1.0.02.08 Timer Count down: 298



VENUE : OCEAN	COURT : LAW CVL	DOCKET # : L	003168	13
CASE TITLE : SPITZNAGEL VS MATA ESQ				
FILING PARTY : SPITZNAGEL	JOHN	T	MULTI PARTY INDIC : N	MULTI TARGET INDIC: N
DOCUMENT TYPE : AFFID DEL INQ		DOCUMENT STATUS : ACTIVE		
DATE FILED : 04 16 2014		IMPOUND INDICATOR: NO		
NON-CONFORMING: NO		NOTICE REQ IND : NO		
		DATE ENTERED : 04 25 2014		
		LST MAINT DTE: 04 25 2014		

Screen ID:CVM1002 Copyrighted © 2012 - New Jersey Judiciary

Session ID: HSXBPK Case Count: 1

BUILD 2012.1.0.02.08 Timer Count down: 297



VENUE : OCEAN	COURT : LAW CVL	DOCKET # : L 003168 13
CASE TITLE : SPITZNAGEL VS MATA ESQ		
FILING PARTY : SPITZNAGEL	JOHN	T MULTI PARTY INDIC : N MULTI TARGET INDIC: N
DOCUMENT TYPE : REQ DEFLT		DOCUMENT STATUS : ACTIVE
DATE FILED : 04 16 2014	IMPOUND INDICATOR: NO	
NON-CONFORMING: NO	NOTICE REQ IND : NO	
DATE ENTERED : 04 25 2014		
LST MAINT DTE: 04 25 2014		

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Session ID: HSXBPK Case Count: 1

BUILD 2012.1.0.02.08 Timer Count down: 298





VENUE : OCEAN	COURT : LAW CVL	DOCKET # : L 003168 13
CASE TITLE : SPITZNAGEL VS MATA ESQ		
FILING PARTY : SPITZNAGEL	JOHN	T MULTI PARTY INDIC : N MULTI TARGET INDIC: N
DOCUMENT TYPE : MISC OTHER		DOCUMENT STATUS : ACTIVE
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NON-CONFORMING: NO	NOTICE REQ IND : NO	
DATE ENTERED : 05 12 2014		
LST MAINT DTE: 05 12 2014		

Screen ID:CVM1002 Copyrighted © 2012 - New Jersey Judiciary

Session ID: HSXBPK Case Count: 1

BUILD 2012.1.0.02.08 Timer Count down: 289

# EXHIBIT “F”

A copy all of the process and pleadings received by Defendant to date in this action as required by 28 U.S.C. §§ 1446(a). These pleadings include:

- (i) the Summons and Complaint, and
- (ii) (ii) Request to Enter Default.

# EXHIBIT “A”

Travis County, Texas Central Appraisal District  
records reflecting ownership by Mario A. Mata of  
Residence in Travis County, Texas

Travis CAD

**Property Search Results > 107371 MATA MARIO A & LILY C for Year 2014**

**Property**

**Account**

Property ID:	107371	Legal Description:	ABS 14 SUR 21 HILL H P ACR .568
Geographic ID:	0109090603	Agent Code:	
Type:	Real		
Property Use Code:			
Property Use Description:			

**Location**

Address:	2804 HUBBARD CIR TX 78746	Mapsc0:	584N
Neighborhood:	M5000	Map ID:	011018
Neighborhood CD:	M5000		

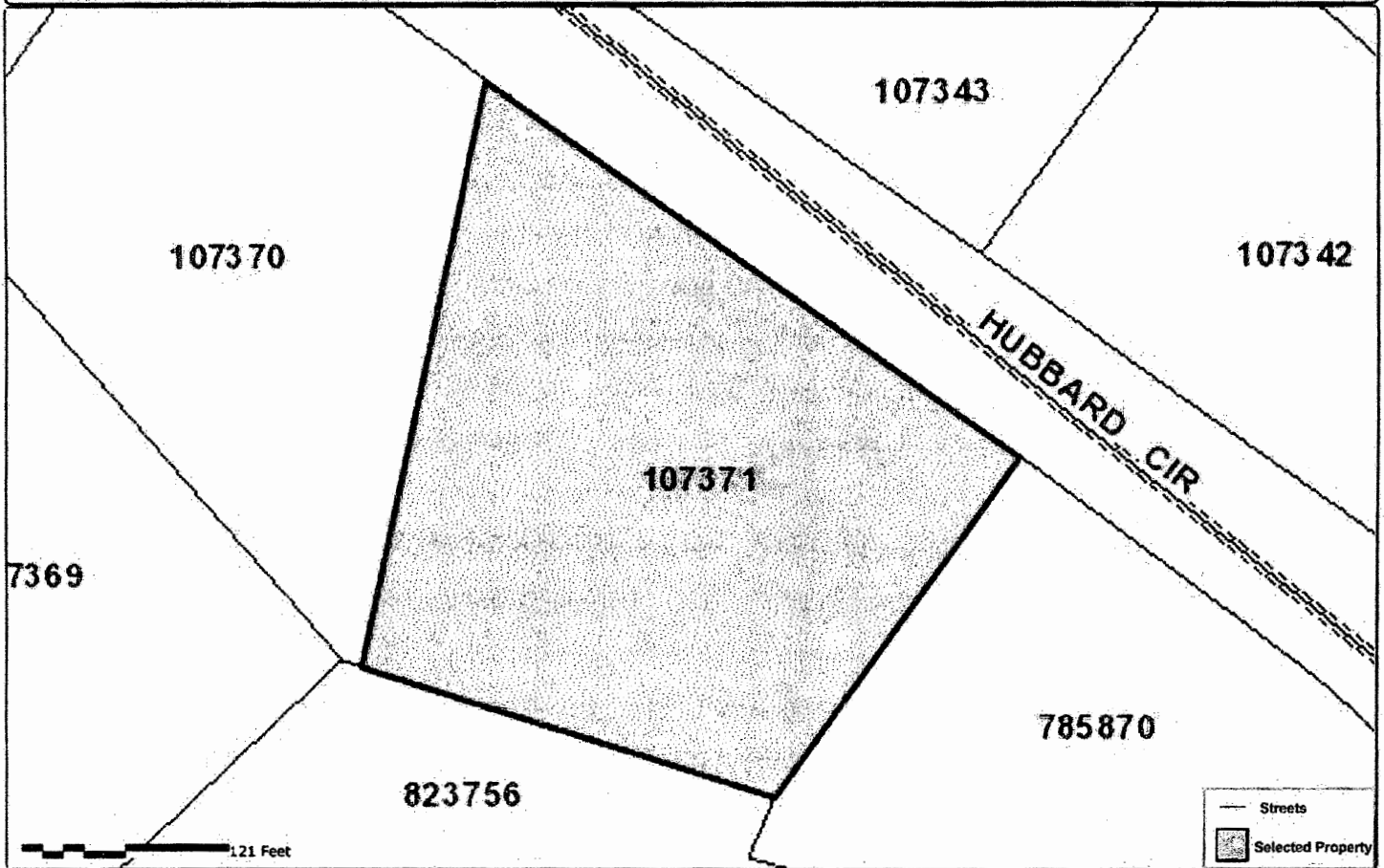
**Owner**

Name:	MATA MARIO A & LILY C	Owner ID:	106290
Mailing Address:	2804 HUBBARD CIR	% Ownership:	100.0000000000%
	AUSTIN , TX 78746-5619		
		Exemptions:	HS

# EXHIBIT “B”

Travis County, Texas Central Appraisal District  
records reflecting Map of Property owned by Mario  
A. Mata as his residence in Travis County, Texas

**Travis CAD - Map of Property ID 107371 for Year 2014**



**Property Details**

**Account**

Property ID: 107371  
Geo ID: 0109090603  
Type: Real

Legal Description: ABS 14 SUR 21 HILL H P ACR .568

**Location**

Situs Address: 2804 HUBBARD CIR TX 78746  
Neighborhood: M5000  
Mapsc0: 584N  
Jurisdictions: 0A, 03, 08, 11, 2J, 39

**Owner**

Owner Name: MATA MARIO A & LILY C  
Mailing Address: , 2804 HUBBARD CIR, , AUSTIN, TX 78746-5619

**Property**

Appraised Value: \$833,350.00

<http://propaccess.traviscad.org/Map/View/Map/1/107371/2014>

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[www.trueautomation.com](http://www.trueautomation.com)


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# EXHIBIT “C”

Official Travis County, Texas records reflecting  
Voter Registration Information for Mario A. Mata in  
Travis County, Texas

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# VOTERS

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## VOTER VERIFICATION



Voter Registration

Voter Information

Jurisdictions + Maps

Voter Statistics


Volunteer Registrar

Voter Forms


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### Voter Registration Information


Voter Information	Voter Districts
<b>Voter Unique Identification:</b> 1139985514	<b>Congressional:</b> <u>G25</u>
<b>Name:</b> MARIO A MATA	<b>Senatorial:</b> <u>N14</u>
<b>Effective Date of Registration:</b> 02/03/1984	<b>Legislative:</b> <u>L48</u>
<b>Residence Address:</b> 2804 HUBBARD CIR AUSTIN, TX 78746-0000	<b>Commissioner:</b> <u>P03</u>
<b>Mailing Address:</b> 2804 HUBBARD CIR AUSTIN, TX 78746-0000	<b>Edwards Aquifer Single Member District:</b> <u>Q05</u>
<b>Precinct:</b> 307	<b>Justice of the Peace:</b> <u>J03</u>
	<b>School District:</b> <u>S04</u>
	<b>Municipal Utility District:</b>
	<b>Emergency Services District:</b> <u>E09</u>
	<b>Edwards Aquifer:</b> <u>Q00</u>
	<b>School Single Member District:</b>
	<b>City:</b> <u>C05</u>
	<b>Capitol Metro:</b>
	<b>Library District:</b> <u>L01</u>
	<b>State Board of Education:</b> <u>B05</u>




**VOTER  
SEARCH**



**VOTER  
QUESTIONS**



**VOTER  
LINKS**



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# EXHIBIT “D”

Page 1 of Voluntary Petition for Bankruptcy filed by  
John T. Spitznagel on July 13, 2012 in the  
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District of New Jersey



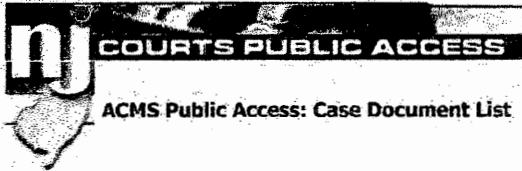
Case 12-27501-MBK Doc 1 Filed 07/13/12 Entered 07/13/12 08:02:16 Desc Main Document Page 1 of 11

B1 (Official Form 1) (12/11)

United States Bankruptcy Court District of New Jersey		Voluntary Petition
Name of Debtor (if individual, enter Last, First, Middle): <b>Spitznagel, John T.</b>		Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):		All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): <b>xxx-xx-6724</b>		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all):
Street Address of Debtor (No. & Street, City, and State): <b>419 Tidal Drive Beach Haven (Loveladies), NJ</b> <div style="float: right; border: 1px solid black; padding: 2px;">ZIP CODE <b>08008-0000</b></div>		Street Address of Joint Debtor (No. & Street, City, and State): <div style="float: right; border: 1px solid black; padding: 2px;">ZIP CODE</div>
County of Residence or of the Principal Place of Business: <b>Ocean</b>		County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): <div style="float: right; border: 1px solid black; padding: 2px;">ZIP CODE</div>		Mailing Address of Joint Debtor (if different from street address): <div style="float: right; border: 1px solid black; padding: 2px;">ZIP CODE</div>
Location of Principal Assets of Business Debtor (if different from street address above):		
<b>Type of Debtor</b> (Form of Organization) (Check one box.) <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<b>Nature of Business</b> (Check one box.) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box). <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding
<b>Chapter 15 Debtors</b> Country of debtor's center of main interests: Each country in which a foreign proceeding by, regarding, or against debtor is pending:	<b>Tax-Exempt Entity</b> (Check box, if applicable.) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<b>Nature of Debts</b> (Check one box) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.
<b>Filing Fee</b> (Check one box.) <input checked="" type="checkbox"/> Full Filing Fee attached. <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.		<b>Chapter 11 Debtors</b> <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). <b>Check if:</b> <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter). <b>Check all applicable boxes:</b> <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
<b>Statistical/Administrative Information</b> <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.		THIS SPACE IS FOR COURT USE ONLY
<b>Estimated Number of Creditors</b> <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> OVER 100,000		
<b>Estimated Assets</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion		
<b>Estimated Liabilities</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input checked="" type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion		

# EXHIBIT “E”

Unofficial Internet Copy of the Ocean County  
Clerk’s Docket Sheet reflecting the name of the  
documents filed by Plaintiff in removed state case  
Docket L3168-13 through this date.



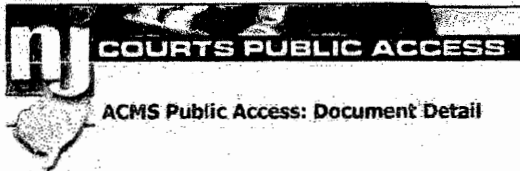
Page: 1

END OF LIST

VENUE : OCEAN COURT : LAW CVL DOCKET #: L 003168 13 CASE TITLE : SPITZNAGEL VS MATA ESQ									
SEL	DATE		DOC	DOCUMENT	NON	FILING/TARGET	ATTORNEY	MUL DOC	
	FILED		NUM	TYPE	CONF	PARTY NAME	NAME	PTY	STA
<input type="radio"/>	10	28	2013	001	COMP JRY DEMAND	SPITZNAGEL	OU DA		N
<input type="radio"/>	10	31	2013	002	MISC OTHER	SPITZNAGEL	OU DA		N
<input type="radio"/>	04	16	2014	003	AFFID DEL INQ	SPITZNAGEL	OU DA		N
<input type="radio"/>	04	16	2014	004	REQ DEFLT	SPITZNAGEL	OU DA		N
<input type="radio"/>	05	07	2014	005	MISC OTHER	SPITZNAGEL	OU DA		N

Screen ID: CVM1023 Copyrighted © 2012 - New Jersey Judiciary  
 Session ID: HSXBPK Case Count: 1  
 BUILD 2012.1.0.02.08 Timer Count down: 293





VENUE : OCEAN	COURT : LAW CVL	DCCKET # : L 003168 13
CASE TITLE : SPITZNAGEL VS MATA ESQ		
FILING PARTY : SPITZNAGEL	JOHN	T MULTI-PARTY FILING : N
ATTORNEY ID : 0049742090	NAME : OUDA	PETER A
TARGET PARTY : MATA ESQ	MARIO	A MULTI-PARTY TARGET : N
DOCUMENT TYPE : COMP JRY DEMAND		DOCUMENT STATUS : A
DATE FILED : 10 28 2013		IMPOUND IND :
PROOF/SERV DATE: 00 00 0000		NOTICE REQUEST IND: Y
		NON-CONFORMING :
		DATE ENTERED : 10 30 2013
		DTE LST MAINT : 00 00 0000

Screen ID: CVM1013 Copyrighted © 2012 - New Jersey Judiciary

Session ID: HSXBPK Case Count: 1

BUILD 2012.1.0.02.08 Timer Count down: 296



ACMS Public Access: Misc Document Inquiry

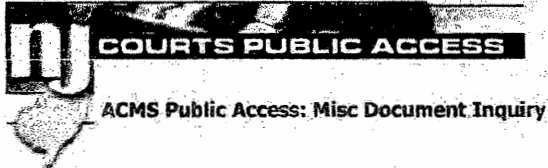


VENUE : OCEAN	COURT : LAW CVL	DOCKET # : L 003168 13
CASE TITLE : SPITZNAGEL VS MATA ESQ		
FILING PARTY : SPITZNAGEL	JOHN T	MULTI PARTY INDIC : N
		MULTI TARGET INDIC: N
DOCUMENT TYPE : MISC OTHER		
DATE FILED : 10 31 2013	DOCUMENT STATUS : ACTIVE	
NON-CONFORMING: NO	IMPOUND INDICATOR: NO	
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DATE ENTERED : 10 31 2013		
LST MAINT DTE: 10 31 2013		

Screen ID: CVM1002 Copyrighted © 2012 - New Jersey Judiciary

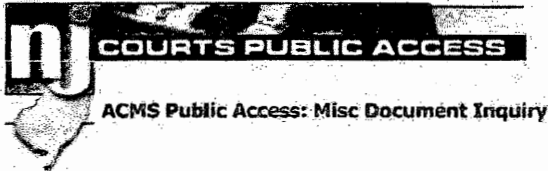
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BUILD 2012.1.0.02.08 Timer Count down: 298



VENUE : OCEAN	COURT : LAW CVL	DOCKET # : L 003168 13
CASE TITLE : SPITZNAGEL VS MATA ESQ		
FILING PARTY : SPITZNAGEL	JOHN T	MULTI PARTY INDIC : N
		MULTI TARGET INDIC: N
DOCUMENT TYPE : AFFID DEL INQ		DOCUMENT STATUS : ACTIVE
DATE FILED : 04 16 2014		IMPOUND INDICATOR: NO
NON-CONFORMING: NO		NOTICE REQ IND : NO
		DATE ENTERED : 04 25 2014
		LST MAINT DTE: 04 25 2014

Screen ID: CVM1002 Copyrighted © 2012 - New Jersey Judiciary  
Session ID: MSXBPK Case Count: 1  
BUILD 2012.1.0.02.08 Timer Count down: 297



VENUE : OCEAN	COURT : LAW CVL	DOCKET # : L 003168 13
CASE TITLE : SPITZNAGEL VS MATA ESQ		
FILING PARTY : SPITZNAGEL	JOHN T	MULTI PARTY INDIC : N MULTI TARGET INDIC: N
DOCUMENT TYPE : REQ DEFLT		DOCUMENT STATUS : ACTIVE
DATE FILED : 04 16 2014	IMPOUND INDICATOR: NO	
NON-CONFORMING: NO	NOTICE REQ IND : NO	
DATE ENTERED : 04 25 2014		
LST MAINT DTE: 04 25 2014		

Screen ID: CVM1002 Copyrighted © 2012 - New Jersey Judiciary  
 Session ID: HSXBPK Case Count: 1  
 BUILD 2012.1.0.02.08 Timer Count down: 298



ACMS Public Access: Misc Document Inquiry



VENUE : OCEAN	COURT : LAW CVL	DOCKET # : L 003168 13
CASE TITLE : SPITZNAGEL VS MATA ESQ		
FILING PARTY : SPITZNAGEL	JOHN T	MULTI PARTY INDIC : N
		MULTI TARGET INDIC: N
DOCUMENT TYPE : MISC OTHER		DOCUMENT STATUS : ACTIVE
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NON-CONFORMING: NO	NOTICE REQ IND : NO	
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LST MAINT DTE: 05 12 2014		

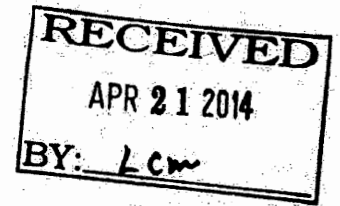
Screen ID: CVM1002 Copyrighted © 2012 - New Jersey Judiciary  
Session ID: MSXBPK Case Count: 1  
BUILD 2012.1.0.02.08 Timer Count down: 289

## EXHIBIT “F”

A copy all of the process and pleadings received by Defendant to date in this action as required by 28 U.S.C. §§ 1446(a). These pleadings include:

- (i) the Summons and Complaint, and
- (ii) (ii) Request to Enter Default.





PETER A. OUDA, LLC  
Attorney at Law  
19 North Bridge Street  
Somerville, New Jersey 08876  
Tel. (908) 927-9909  
Fax ( 908) 927-9907  
Attorney for Plaintiff  
011861990

Plaintiff

: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION – OCEAN COUNTY  
: Docket 003168-13

JOHN T. SPITZNAGEL

:  
: Civil Action

V

: **PROOF OF SERVICE/  
Affidavit of Diligent inquiry**

MARIO A. MATA, ESQ

Defendant

I, Peter A. Ouda being of full age, being duly sworn upon my oath states the following:

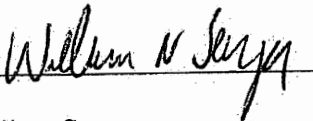
1., This office represents the Plaintiff. The defendant is a Texas lawyer. I found his address of his office that I found on the internet. I confirmed his address with the Texas State Bar. That address is a hotel room. Guaranteed subpoena tried to serve him and were unsuccessful in many attempts. I found his home address I attempted to have him served at that location. The process servers were unsuccessful at that location as well. I have enclosed all the attempts to serve this lawyer. ( EXH A)

After all of these attempts, I served him via certified mail as per R. 4: 4 (b)1(C). He signed the green card and I attach same as exhibit B. I would ask that default be entered against him.

I have clearly satisfied my requirements under the rule to serve him by certified and regular mail.

  
A handwritten signature in black ink, appearing to be "Pm", is written over a horizontal line.

Signed and Sworn to me this 14 day of April 2014

  
A handwritten signature in black ink, reading "William N. Senger", is written over a horizontal line.

William Senger

Attorney at law

State of New Jersey

**Peter A. Ouda, LLC**

Attorney at Law

19 North Bridge Street  
Somerville, New Jersey 08876

Tel: (908) 927-9909

Fax: (908) 927-9907

e-mail: [peteroudalaw@aol.com](mailto:peteroudalaw@aol.com)

Regular and certified  
Mario A. Mata, Esq.  
500 East 4<sup>th</sup> St.  
Suite 353  
Austin Texas 78701

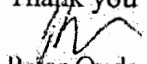
February 10, 2014

Regular and certified  
Mario A. Mata  
2804 Hubbard Circle  
Austin, Texas 78746-5619

Dear Mr. Mata:

I enclose a summons and complaint in this matter, which I serve on you, pursuant to R 4:  
4-4(b)(1)(C).

Thank you

  
Peter Ouda

**SUMMONS**Attorney(s) PETER A. OUDA, LLCOffice Address 19 NORTH BRIDGE STTown, State, Zip Code SOMERVILLE NJTelephone Number (908) 927-9909

Attorney(s) for Plaintiff \_\_\_\_\_

JOHN SPITZNAGEL

Plaintiff(s)

Vs.

MARIO A. MATA

Defendant(s)

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at [http://www.judiciary.state.nj.us/prose/10153\\_deptyclerklawref.pdf](http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf).) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at [http://www.judiciary.state.nj.us/prose/10153\\_deptyclerklawref.pdf](http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf).

*\$1* *Michelle Smith*  
Clerk of the Superior Court

DATED: 02/10/2014Name of Defendant to Be Served: MARIO MATAAddress of Defendant to Be Served: 500 East 4th ST. Austin 78701



## SUMMONS

Attorney(s) PETER A. OUDAOffice Address 19 NORTH BRIDGE ST.Town, State, Zip Code Somerville NJ 08876Telephone Number (908) 927-9909

Attorney(s) for Plaintiff \_\_\_\_\_

JOHN SPITZNAGEL

Plaintiff(s)

Vs.

MARIO A. MATA, ESQ.

Defendant(s)

Superior Court of  
New JerseyOCEAN COUNTYLaw Div DIVISIONDocket No: OCN L 03168-13CIVIL ACTION  
SUMMONS

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at [http://www.judiciary.state.nj.us/prose/10153\\_deptyclerklawref.pdf](http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf).) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135.00 and completed Case Information Statement) if you want the court to hear your defense.

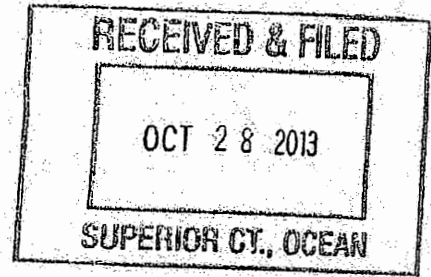
If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at [http://www.judiciary.state.nj.us/prose/10153\\_deptyclerklawref.pdf](http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf).

51 Michelle M. Smith, Esq.  
Clerk of the Superior Court

DATED: 12/10/2013 2/7/2014Name of Defendant to Be Served: Mario MataAddress of Defendant to Be Served: 100 Congress Ave Austin Texas 78701  
2804 Hubbard Cir  
Austin Texas 78701

PETER A. OUDA, LLC  
Attorney at Law  
19 North Bridge Street  
Somerville, New Jersey 08876  
Tel. (908) 927-9909  
Fax (908) 927-9907  
Attorney for Plaintiff  
011861990



Plaintiff

: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION – OCEAN COUNTY  
: Docket

JOHN T. SPITZNAGEL

: Civil Action

*L 316 8-13*

V

: COMPLAINT, JURY DEMAND,

MARIO A. MATA, ESQ

Defendant

Plaintiff, by way of complaint against the defendant, hereby states the following:

1. Plaintiff is a resident of Ocean County, New Jersey.
2. Defendant is an attorney at law, who is admitted to practice law in Texas.
3. At all relevant times, the defendant held himself out to the public as a specialist in Wills and Trusts and related issues. As such, he was or should have been familiar with the standard of care related to those areas of the law.
4. The defendant was retained in or about 2009 regarding the formation of John T. Spitznagel Family Trust. ( hereinafter Trust). Defendant maintained an ongoing relationship which included the following: i) insuring that the Trust complied with all tax filings and information filings required under U.S. laws; ii) serving as intermediary to deal with the trustee and trust protector whenever issues arose regarding ongoing



administrations of the Trust; iii) and provide legal and tax advice regarding the Trust on an ongoing basis. The defendant held himself out as being fully capable of such tasks and never once limited the scope of his representation in any way.

5. The trustee under the Trust was Asiatic Trust and the Trust Protector was Vanguard Protector Services.
6. During the representation of the Trust, the defendant also served as counsel to Asiatic Trust, which fact was never disclosed to the Plaintiff herein. Defendant owed a duty to the Plaintiff to make such disclosures to the Plaintiff and obtain all necessary waivers from the Plaintiff. This did not occur and defendant's representation of the Plaintiff was tainted because of that dual representation.
7. During the time that the Trust was being administered, defendant was very unresponsive and routine tasks were inordinately delayed for no justifiable reason. Additionally, everything was required to pass through him. All requests for distribution went through him. Change of custodian also had to go through him. He made dealings with the trustee inordinately difficult and time consuming. Plaintiff had to seek the advice of another attorney and Eric Kaufman, his financial advisor. Defendant's lack of communication and failure to respond in a timely manner caused financial damages to the Plaintiff.
8. Plaintiff sought bankruptcy protection and retained the Cole Schotz firm to represent his interests. Cole Schotz negotiated a settlement with three major creditors. The settlement required Plaintiff to pay 5.75 million dollars from the Trust.
9. Royal Bank of Canada (RBC) served as the custodian for a portion of the assets held in the Trust. Contrary to his legal and ethical duty, Defendant breached his duty of confidentiality and inappropriately made disclosures to RBC regarding the Plaintiff's legal

proceedings and regarding the Trust. As a result of these disclosures by defendant, RBC froze the entire custodial account and required a court order or complete indemnification before releasing any money.

10. Because of this unauthorized communication by the defendant, Plaintiff incurred additional legal fees and expenses in the amount of approximately \$80,000 which never should have been incurred and would not have been incurred had the defendant followed the instruction of his client, the Plaintiff herein.

11. Defendant also incurred needless and excessive accounting fees from Milan & Company for the preparation of the 2011 Trust tax returns and information returns. The excessive fees were a product of misinformation provided by the defendant. Plaintiff retained new accountants who charged \$5000.00 for the exact same tasks charged by Milan & Company. The fees charged by Milan was \$18,000.00

### COUNT ONE (LEGAL MALPRACTICE)

1. Plaintiff repeats and realleges the allegations above as if set forth at length herein.
2. The defendant, as an attorney at law, had the duty and obligation to conform to the standard of reasonable care required by attorneys in the same or similar circumstances.
3. The defendant breached the standard of care by not communicating with his client on a prompt and regular basis. The defendant also breached the standard of care by not disclosing a dual representation that required such disclosure.
4. The defendant failed to follow specific instructions from his client and made unauthorized disclosures to RBC which caused needless expense and delay.
5. The defendant gave erroneous information to Milan & Company which also caused needless expense to the Plaintiff.
6. As a proximate cause thereof, the Plaintiff suffered damages.

7. Plaintiff was also charged a substantial legal fee by the defendant exceeding \$100,000. All fees paid to the defendant are excessive and unreasonable given the negligence, delay and unresponsiveness of defendant which caused the Plaintiff extensive damages.

WHEREFORE, Plaintiff demands judgment for compensatory damages, attorneys fees, return of legal fees paid to the defendant and all other relief that the court deems just and proper


**JURY DEMAND**

Plaintiff demands a trial by jury on all issues.

**DESIGNATION OF TRIAL COUNSEL**

Pursuant to R. 4:25-4, Peter A. Ouda is hereby designated as trial counsel in the within action.

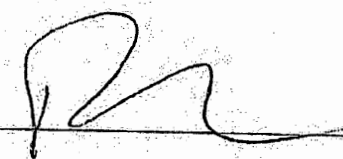
Dated:

  
PETER A. OUDA  
Attorney for Plaintiff

**CERTIFICATION PURSUANT TO RULE 4:5-1**

I hereby certify that to the best of my knowledge this matter is not the subject of any other action pending in any court or arbitration proceeding. I further certify that to the best of my knowledge, there are no other parties than those named in this matter that should be joined in this action.

Dated:

  
PETER A. OUDA  
Attorney for Plaintiff



OCEAN COUNTY SUPERIOR COURT  
OCEAN COUNTY COURTHOUSE  
CIVIL LAW DIVISION  
TOMS RIVER NJ 08754

COURT TELEPHONE NO. (732) 929-2016  
COURT HOURS

TRACK ASSIGNMENT NOTICE

DATE: OCTOBER 30, 2013  
RE: SPITZNAGEL VS MATA ESQ  
DOCKET: OCN L -003168 13

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 3.

DISCOVERY IS 450 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS  
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON MARK A. TRONCONE

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 002  
AT: (732) 929-4771 EXT 4771.


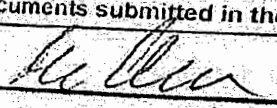
IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A  
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.  
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE  
WITH R. 4:5A-2.

ATTENTION:

ATT: PETER A. OUDA  
PETER A. OUDA  
19 NORTH BRIDGE ST  
SOMERVILLE NJ 08876

JUAMH6

## Appendix XII-B1

 <b>CIVIL CASE INFORMATION STATEMENT (CIS)</b> Use for initial Law Division Civil Part pleadings (not motions) under Rule 4:5-1 Pleading will be rejected for filing, under Rule 1:5-6(c), if information above the black bar is not completed or attorney's signature is not affixed		FOR USE BY CLERK'S OFFICE ONLY	
		PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA	CHG/CK NO.
ATTORNEY / PRO SE NAME Peter Ouda		TELEPHONE NUMBER (908) 927-9909	COUNTY OF VENUE Ocean
FIRM NAME (if applicable) Peter A. Ouda, LLC		DOCKET NUMBER (when available) 83168-13	
OFFICE ADDRESS 19 North Bridge St. Somerville NJ		DOCUMENT TYPE Complaint	
		JURY DEMAND <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
NAME OF PARTY (e.g., John Doe, Plaintiff) John Spliznagel		CAPTION John SPliznagel v Mario Mala	
CASE TYPE NUMBER (See reverse side for listing) 607	HURRICANE SANDY RELATED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IS THIS A PROFESSIONAL MALPRACTICE CASE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.	
RELATED CASES PENDING? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, LIST DOCKET NUMBERS	
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) <input type="checkbox"/> NONE <input checked="" type="checkbox"/> UNKNOWN	
<b>THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE</b>			
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION			
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input checked="" type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS	
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION			
<div style="border: 1px solid black; padding: 10px; display: inline-block;">             RECEIVED &amp; FILED              OCT 28 2013              SUPERIOR CT., OCEAN           </div>			
Do you or your client need any disability accommodations? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION	
Will an interpreter be needed? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, FOR WHAT LANGUAGE?	
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).			
ATTORNEY SIGNATURE: 			

**OUT OF STATE****20131231105826**

DOCS: SUMMONS, COMPLAINT, JURY DEMAND, CIS, TRACK ASSIGNMENT NOTICE  
SERVICE:  
ENTITY: MARIO MATA  
ADDRESS: 500 EAST 4TH STREET STE. 353 AUSTIN TX 78701 SERVING: HOME

PLAINTIFF: JOHN T. SPITZNAGEL  
DEFENDANT: MARIO A. MATA, ESQ.  
DOCKET#: OCN L 3168 13 VENUE: OCEAN CLAIM#:

DUE DATE: 01/07/2014 COURT DATE: CANCEL DATE: ATTACHED CHECK: FOR:  
PICKUP:

**Due: 01/07/2014****INSTRUCTIONS FROM CSR Yanla Carmona:**

PLEASE SERVE BY DUE DATE AND RETURN PROOF OF SERVICE TO GSS. PLEASE BE SURE TO SERVE PAPERS ACCORDING TO RULES OF WHERE PAPER IS VENUED. IF SERVING AN INDIV. AT HOME YOU MAY SUBSERVE ON ANYONE OVER THE AGE OF 14, SERVING AN INDIV. AT WORK - PERSONAL DELIVERY ONLY, IF SERVING A REGISTERED AGENT YOU MUST SERVE BY PERSONAL DELIVERY ONLY. ALL RULES APPLY UNLESS OTHERWISE INSTRUCTED. QUESTIONS CONTACT GSS TO ADVISE. THANKS !!

MSG Sent From Stephany Guasp on 1/9/2014 11:47:20 AM To MIKE@AUSTINPROCESS.COM  
[MSG : need a status update please]

MSG Sent From Stephany Guasp on 1/16/2014 3:20:49 PM To MIKE@AUSTINPROCESS.COM  
[MSG : THIS IS MY SECOND STATUS REQUEST]

We closed this out and sent you a non service affidavit on 1/6/2014

This is the Hilton hotel. First off they do not have such a room number and the Hilton residences have an address of 555 with no such room number. They did a name search throughout the hotel with no such name.

**NOTES FOR FIRM: INFO VERIFIED 8/6/07 MH**



SPARTAN REPORT

February 7, 2014

MARIO A MATA  
Gender - Male  
PO BOX 160697  
AUSTIN, TX 78716-0697  
SSN - 458-04-xxxx  
LexID - 1630511456  
DOB/Age - 03/13/1954 (59)  
Dates - Aug 2010 - Mar 2012  
Phones - 214-800-2363 - CST

MARIO A MATA  
2804 HUBBARD CIR  
AUSTIN, TX 78746-5619  
SSN - 458-04-xxxx  
LexID - 1630511456  
DOB/Age - 03/13/1954 (59)  
Dates - Aug 1991 - Feb 2014

English

Customer

USPS Mobile

Register / Sign In

Service



Search USPS.com or Track Package

## Quick Tools

Track

Enter up to 10 Tracking # Find

Find USPS Locations

Buy Stamps

Schedule Pickup

Calculate Postage

Look Up a ZIP Code

Hold Mail

Change of Address

Ship a Package

Send Mail

Manage Your Mail

Shop

Business Solutions

USPS Tracking™



Customer Service

Have questions? We're here to help.

Tracking Number: 70133020000109422923



Expected Delivery Day: Tuesday, April 22, 2014

## Product &amp; Tracking Information

Postal Product:

First-Class Mail®

Features:

Certified Mail™

Return Receipt

DATE & TIME	STATUS OF ITEM	LOCATION
April 21, 2014, 3:10 pm	Delivered	AUSTIN, TX 78746
April 21, 2014, 8:53 am	Out for Delivery	AUSTIN, TX 78704
April 21, 2014, 8:43 am	Sorting Complete	AUSTIN, TX 78704
April 21, 2014, 7:46 am	Arrival at Unit	AUSTIN, TX 78704
April 20, 2014, 10:20 pm	Processed through USPS Sort Facility	AUSTIN, TX 78710
April 20, 2014	Depart USPS Sort Facility	KEARNY, NJ 07099
April 20, 2014, 12:01 am	Processed at USPS Origin Sort Facility	KEARNY, NJ 07099
April 19, 2014, 2:46 pm	Dispatched to Sort Facility	SOMERVILLE, NJ 08876
April 19, 2014, 1:05 pm	Acceptance	SOMERVILLE, NJ 08876

## Available Actions

USPS Text Tracking™

Email Updates

## Track Another Package

What's your tracking (or receipt) number?

Track It

## LEGAL

Privacy Policy

Terms of Use

FOIA

No FEAR Act EEO Data

## ON USPS.COM

Government Services

Buy Stamps &amp; Shop

Print a Label with Postage

Customer Service

## ON ABOUT.USPS.COM

About USPS Home

Newsroom

USPS Service Alerts

Forms &amp; Publications

## OTHER USPS SITES

Business Customer Gateway

Postal Inspectors

Inspector General

Postal Explorer

**Peter A. Ouda, LLC**  
Attorney at Law  
19 North Bridge Street  
Somerville, New Jersey 08876

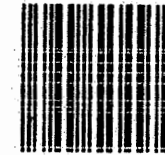
**CERTIFIED MAIL™**



7013 3020 0001 0942 2923



1000



78746

U.S. POSTAGE  
PAID  
SOMERVILLE, N.J.  
08876  
APR 19, 14  
AMOUNT

**\$7.40**  
00025809-01

RETURN RECEIPT  
REQUESTED

MARIO MATA  
2804 Hubbard Circle  
Austin Texas 78746-5619

# DOCUMENT DIVIDER

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here to separate the preceding  
and subsequent document.

## Peter A. Ouda, LLC

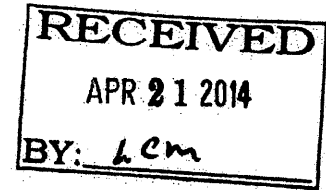
Attorney at Law

19 North Bridge Street  
Somerville, New Jersey 08876

Tel: (908) 927-9909

Fax: (908) 927-9907

e-mail: [peteroudalaw@aol.com](mailto:peteroudalaw@aol.com)



Regular and certified  
Mario A. Mata, Esq.  
500 East 4<sup>th</sup> St.  
Suite 353  
Austin Texas 78701

April 14, 2014

Regular and certified  
Mario A. Mata  
2804 Hubbard Circle  
Austin Texas 78746-5619

Dear Mr. Mata:

I enclose the proof of service/affidavit of diligent inquiry. And request to enter default.

Thank you

  
Peter Ouda

**Peter A. Ouda, LLC**

Attorney at Law

19 North Bridge Street  
Somerville, New Jersey 08876

Tel: (908) 927-9909

Fax: (908) 927-9907

e-mail: [peteroudalaw@aol.com](mailto:peteroudalaw@aol.com)

April 9, 2014

Ocean County Courthouse

120 Hooper Ave

Box 2191

Toms River, NJ 08754

**RE: Spitznagel v Mata**

Dear Sir/Madam:

I enclose a proof of service, Affidavit of diligent inquiry and request to enter default.

Thank you



Peter Ouda

cc. Mario Mata, via certified and regular mail



PETER A. OUDA, LLC  
Attorney at Law  
19 North Bridge Street  
Somerville, New Jersey 08876  
Tel. (908) 927-9909  
Fax (908) 927-9907  
Attorney for Plaintiff  
011861990

---

Plaintiff

: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION – OCEAN COUNTY  
: Docket 003168-13

JOHN T. SPITZNAGEL

:  
: Civil Action

V

: REQUEST TO ENTER DEFAULT

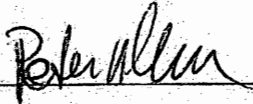
MARIO A. MATA, ESQ

Defendant

---

To: Clerk of Ocean County Superior Court

Plaintiff requests that the clerk enter default against Mario Mata, Esq. for his failure to answer or otherwise plead. We refer the clerk to the accompanying proof of service and affidavit of diligent inquiry.



Peter A. Ouda

# DOCUMENT DIVIDER

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here to separate the preceding  
and subsequent document.

**Peter A. Ouda, LLC**

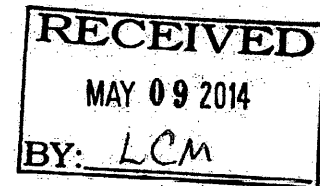
Attorney at Law

19 North Bridge Street  
Somerville, New Jersey 08876

Tel: (908) 927-9909

Fax: (908) 927-9907

e-mail: [peteroudalaw@aol.com](mailto:peteroudalaw@aol.com)



May 5, 2014

Ocean County Courthouse

120 Hooper Ave

Box 2191

Toms River, NJ 08754

**RE: Spitznagel v Mata**

Dear Sir/Madam:

I enclose a motion of motion, certification, proposed form of default judgment and affidavit of non military service. A proof of service is enclosed.

Thank you

A handwritten signature in black ink, appearing to be "P. Ouda", written over the printed name.

Peter Ouda

cc: Mario Mata, via certified and regular mail

Proof of Service

On May 5, 2014 I served the court via regular mail and I served the defendant via regular and certified mail.

I have served him at two addresses; 2804 Hubbard Circle, Austin Texas, 78746-5619 and 500 East 4<sup>th</sup> St. Suite 353 Austin Texas 78701.

I have no actual knowledge that defaulting defendant's address has changed.

I hereby certify that the statements are true and if they are false I am subject to punishment.

A handwritten signature in black ink, appearing to be "Galen", is written over a horizontal line.

PETER A. OUDA, LLC  
Attorney at Law  
19 North Bridge Street  
Somerville, New Jersey 08876  
Tel. (908) 927-9909  
Fax (908) 927-9907  
Attorney for Plaintiff  
011861990

---

Plaintiff

: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION – OCEAN COUNTY  
: Docket 003168-13

JOHN T. SPITZNAGEL

:  
: Civil Action

V

: ORDER ENTERING FINAL JUDGMENT BY  
: DEFAULT

MARIO A. MATA, ESQ

Defendant

---

THIS matter having come before the Court on the motion of the Plaintiff to enter final judgment by default and the court having considered the papers and any and all opposition thereto and for good cause shown: IT IS ON THIS        DAY OF    2014:

ORDERED:

1. That final judgment by default is hereby entered against the defendant as per R. 4: 43-2(b).
2. A copy of this order shall be served upon the defendant within        days hereof

PETER A. OUDA, LLC  
Attorney at Law  
19 North Bridge Street  
Somerville, New Jersey 08876  
Tel. (908) 927-9909  
Fax (908) 927-9907  
Attorney for Plaintiff  
011861990

---

Plaintiff

: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION – OCEAN COUNTY  
: Docket 003168-13

JOHN T. SPITZNAGEL

:  
: Civil Action

V

: NOTICE OF MOTION TO ENTER FINAL  
: JUDGMENT BY DEFAULT, R. 4: 43-2(b).

MARIO A. MATA, ESQ

Defendant

:  
:

---

Please take Notice that on May 23, 2014 the Plaintiff shall move before the Superior court  
Of New Jersey law Div. Ocean County for an Order entering final judgment by default, as per R.  
4: 43-2(b). in Support of the motion, the Plaintiff shall rely on the certification of Counsel. A  
proposed order is attached hereto:



---

Peter A. Ouda



PETER A. OUDA, LLC  
Attorney at Law  
19 North Bridge Street  
Somerville, New Jersey 08876  
Tel. (908) 927-9909  
Fax (908) 927-9907  
Attorney for Plaintiff  
011861990

---

Plaintiff

: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION – OCEAN COUNTY  
: Docket 003168-13

JOHN T. SPITZNAGEL

:  
: Civil Action

V

: AFFIDAVIT OF NON MILITARY SERVICE

MARIO A. MATA, ESQ

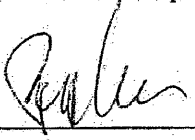
Defendant

---

I, Peter A Ouda, being duly sworn upon my oath states the following:

1. I am counsel to the Plaintiff and make this affidavit in support of the motion to enter default judgment.
2. Mr. Mata is an attorney at law of the state of New Jersey. He appears to be in his late 50's and when I recently checked with the Supreme court of Texas he is actively practicing law.
3. Also recently I served him the request to enter default and he personally signed for them.
4. I have made a request with the Service Centers Civil relief act and the results will be given to me shortly. I am certain that he is not in the military. I will update this affidavit when I receive word from them.

Therefore I would request that enter default judgment.



William Senger, Esq.  
Attorney at Law  
State of NJ

PETER A. OUDA, LLC  
Attorney at Law  
19 North Bridge Street  
Somerville, New Jersey 08876  
Tel. (908) 927-9909  
Fax ( 908) 927-9907  
Attorney for Plaintiff  
011861990

---

Plaintiff

: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION – OCEAN COUNTY  
: Docket 003168-13

JOHN T. SPITZNAGEL

:  
: Civil Action

V

: CERTIFICATION

MARIO A. MATA, ESQ

Defendant


---

I, Peter A Ouda, being of full age hereby certify to the following:

1. I am an attorney at law of the state of New Jersey and I make this certification in support of a motion to enter final judgment by default, pursuant to R. 4: 43-2(b). The defendant was duly served via certified mail, after the process server was unable to serve him at two of his addresses. After the expiration of the 35 days, I moved to enter default via regular and certified mail.(Exh A) The defendant signed for them at both addresses I have for him. (Exh B). I served the filed default via regular mail on May 5, 2014.(Exh C).
2. The defendant is clearly entitled to an entry of final judgment by default. 4:43-2(b). I would ask that the court enter judgment and thereafter schedule a proof hearing for a date not sooner than 30 days from the date of the order. The reason is that this is a legal

malpractice case and if, for some reason, that the defendant has malpractice insurance I want his carrier to appear.

3. I have separately provided an affidavit of no military service. I would ask that the motion be granted.
4. I hereby certify that the statements are true and if they are false I am subject to punishment.

  
\_\_\_\_\_

**Peter A. Ouda, LLC**

Attorney at Law

19 North Bridge Street  
Somerville, New Jersey 08876

Tel: (908) 927-9909

Fax: (908) 927-9907

e-mail: [peteroudalaw@aol.com](mailto:peteroudalaw@aol.com)

Regular and certified  
Mario A. Mata, Esq.  
500 East 4<sup>th</sup> St.  
Suite 353  
Austin Texas 78701

April 14, 2014

Regular and certified  
Mario A. Mata  
2804 Hubbard Circle  
Austin Texas 78746-5619

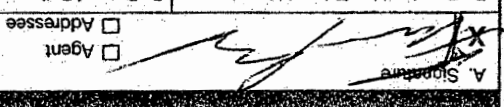
Dear Mr. Mata:

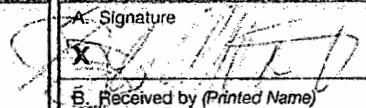
I enclose the proof of service/affidavit of diligent inquiry. And request to enter default.

Thank you

  
Peter Ouda

EXH A

PS Form 3811, July 2013 (Transfer from service label) 2. Article Number <b>7103 3020 0001 0942 2923</b> <b>7013 3020 0001 0942 2923</b>	
1. Article Addressed to: <b>MARIO MATA</b> <b>500 East 44th St</b> <b>Austin Texas</b>	
3. Service Type <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
A. Signature  B. Received by (Printed Name) <b>MARIO MATA</b> C. Date of Delivery <b>4-24-14</b> D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
COMPLETE THIS SECTION ON DELIVERY	

SENDER: COMPLETE THIS SECTION <input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: <b>MARIO MATA</b> <b>2804 Hubbard Circle</b> <b>Austin Texas</b> <b>78746-5619</b>		COMPLETE THIS SECTION ON DELIVERY A. Signature  <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee B. Received by (Printed Name) <b>MARIO MATA</b> C. Date of Delivery <b>4-24-14</b> D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
2. Article Number <b>7013 3020 0001 0942 2923</b> (Transfe) <b>7013 3020 0001 0942 2923</b>		3. Service Type <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, July 2013		Domestic Return Receipt	



**Peter A. Ouda, LLC**

Attorney at Law

19 North Bridge Street  
Somerville, New Jersey 08876

Tel: (908) 927-9909

Fax: (908) 927-9907

e-mail: [peteroudalaw@aol.com](mailto:peteroudalaw@aol.com)


Regular mail  
Mario A. Mata, Esq.  
500 East 4<sup>th</sup> St.  
Suite 353  
Austin Texas 78701

May 5, 2014 Regular mail

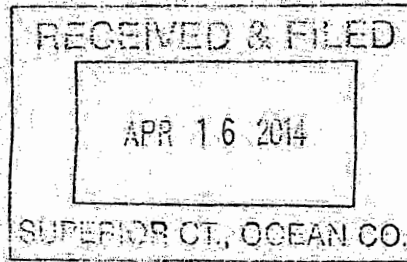
Mario A. Mata  
2804 Hubbard Circle  
Austin Texas 78746-5619

Dear Mr. Mata:

I enclose a filed copy of the request to enter default

Thank you  
  
Peter Ouda

Exc



PETER A. OUDA, LLC  
Attorney at Law  
19 North Bridge Street  
Somerville, New Jersey 08876  
Tel. (908) 927-9909  
Fax (908) 927-9907  
Attorney for Plaintiff  
011861990

Filed and Default Entered  
Office of the Superior Court Clerk  
by Deputy Clerk of the Superior Court

OCEAN COUNTY

: SUPERIOR COURT OF NEW JERSEY  
: LAW DIVISION - OCEAN COUNTY  
: Docket 003168-13

Plaintiff

JOHN T. SPITZNAGEL

: Civil Action

V


: REQUEST TO ENTER DEFAULT

MARIO A. MATA, ESQ

Defendant

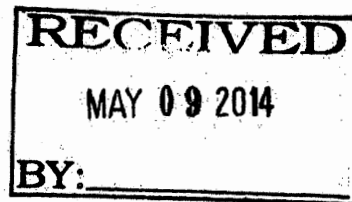
To: Clerk of Ocean County Superior Court

Plaintiff requests that the clerk enter default against Mario Mata, Esq. for his failure to answer or otherwise plead. We refer the clerk to the accompanying proof of service and affidavit of diligent inquiry.

  
Peter A. Ouda

EXHC

**Peter A. Ouda, LLC**  
Attorney at Law  
19 North Bridge Street  
Somerville, New Jersey 08876



MARIO OATA  
2804 Hubbard Circle  
Austin Texas, 78746-5619

